

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
KARA HAYDEN,
Defendant.

Case No. 3:16-cr-00106-SLG

ORDER

Before the Court is Defendant's Motion to Amend Judgment to Reflect Concurrent Sentence (Docket 82). At Docket 84-1, Defendant filed a copy of the state court judgment pursuant to the Court's request. The Government did not file a response to the motion.

The state court judgment states that 12 months of the sentence imposed in that case, the active time, should run concurrent with federal active time.¹ But the state court ordered that the 24 months of suspended time would run "consecutive to federal suspended time." As no federal suspended time was imposed, the 24 months of state suspended time is consecutive to the active federal time. Defendant's motion states that a year of pretrial time was "carved out" of her state custody pretrial period and counted toward the state sentence. (See motion at 2). Defendant has provided insufficient information to support the motion, and it is accordingly DENIED on that basis. If the motion is renewed, it shall include the precise language in an amended judgment that Defendant is proposing and provide appropriate documentation received from the Bureau of Prisons on this time calculation issue.

DATED this 19th day of April, 2018 at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

¹ Cf. Defendant's Motion to Amend (Docket 82) at 1: "Defendant ultimately pleaded guilty to [the state] charges and was given a sentence of 36 months with 24 months suspended *to run concurrent with her federal court sentence.*" (Emphasis in original).